

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior listings of claims in the application:

**LISTING OF CLAIMS:**

1. (Currently Amended) An apparatus ~~for~~ capable of detecting either or both of that an endo-tracheal tube ~~for~~ ventilation is placed correctly in a recipient or alternatively that an endo-tracheal tube for ventilation is placed incorrectly in a recipient, the apparatus comprising the following elements:

- (i) a processing unit for detecting impedance amplitude changes;
- (ii) a measuring unit comprising at least two measuring electrodes for measuring the impedance of a body, the measuring unit being in communication with the processing unit;
- (iii) a power source for the apparatus; and
- (iv) a display or alarm device;;

wherein, in use, a correct placement of the endo-tracheal tube in a recipient upon ventilation is indicated by the processing unit by detecting a significant change ~~in the~~ in the impedance amplitude and the incorrect placement of the endo-tracheal tube in a recipient upon ventilation is indicated by the processing unit by detecting a change in the impedance amplitude that is below a specified threshold level, and further wherein during use of said apparatus the change in the impedance amplitude is shown on the display or is indicated by the activation of the alarm.

2 (Previously Presented) The apparatus as claimed in claim 1 wherein, in use, a correct placement of the endo-tracheal tube is indicated by the processing unit identifying a significant change in the impedance amplitude above a specified threshold level and/or an incorrect placement of the endo-tracheal tube is indicated by the processing unit)by identifying a change in the impedance amplitude below the said specified threshold level, and the change in the impedance amplitude is shown on the display or is indicated by the activation of the alarm.